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BEFORE THE ARIZONA CORPORATION COMMISSION

Commissioners

Bob Stump – Chairman

Gary Pierce

Brenda Burns

Bob Burns

Susan Bitter Smith

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Arizona Corporation Commission

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IN THE MATTER OF THE APPLICATION OF
FAR WEST WATER AND SEWER INC., AN
ARIZONA CORPORATION, FOR A
DETERMINATION OF THE CURRENT FAIR
VALUE OF ITS UTILITY PLANT AND
PROPERTY AND FOR INCREASES IN
ITS WASTEWATER RATES AND CHARGES
BASED THEREON FOR UTILITY SERVICE.

DOCKET NO. WS-03478A-12-0307

DECISION NO. **74097**

**INTERVENORS JOINT APPLICATION
FOR REHEARING OF DECISION NO. 74097**

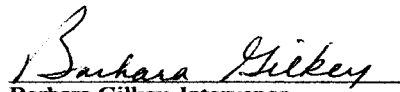
Pursuant to A.R.S. 40-253 Intervenor Robert Rist, Robert Gilkey, and Barbara Gilkey request that the Arizona Corporation Commission ("Commission") rehear Decision No. **74097**, decided September 10, 2013 and docketed September 23, 2013. The decision disallowed RUCO's request for a 30.1% dis-allowance of plant in service which is not USED AND USEFUL. We believe the decision completely disregards evidence entered into record by the Company and Staff, which is documented in RUCO's exception. Staff and Far West both agreed that RUCO's system wide calculations of excess flows were inappropriate since the system is made up of individual plants. We agreed during the hearing, and Intervenor Robert Rist introduced into evidence an alternative method of calculating the excess flows. It looks at each plant individually and also calculates on a system wide basis. It uses design flows used by Jin Liu. It also uses an average flow during a peak month to arrive at a more normal number for daily flow. It specifically did not use a peak flow during a month as typical of daily flow. More than likely they are an anomaly, just as the days when zero flow was recorded. The chart does not account for 5 year growth, but it does clearly show excess capacity in all plants except Del Rey. When Del Rey sewage is transferred to Del Oro there will still be 57% excess

1 at Del Oro. The unused capacity can be seen on an individual plant basis and on a system wide basis.
2 We maintain RUCO has it right, and respectfully ask the Commission to rehear this issue.

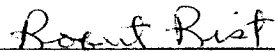
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4 Further it is evident that Commissioners held the letter from Yuma County Supervisor, Russ
5 Clark in high regard. Mr. Clark's letter was not introduced into evidence and should not have been
6 taken into consideration. No parties in this matter have had an opportunity to validate the claims
7 made in this letter. Commissioner Pierce stated that he is a friend of Mr. Clark, and had phone
8 conversations with him. Other Commissioners stated they were impressed with the letter, and that Far
9 West clearly had a friend. We believe he has applied undue political influence in this matter. Mr.
10 Clark is not qualified in wastewater treatment, and has not made inspections of the Marwood plant
11 since that last tour, which Robert Rist and Robert Gilkey also attended. Mr. Clark is relying on
12 statements of Far West. He states that he has not received calls or complaints in several months,
13 indicating that odors have improved. What he forgets or ignores is that around 80% of the residents
14 are not in their Yuma homes in the summer, and if they are, they have their homes closed up running
15 air conditioning. Recent reader comments in the Yuma Sun newspaper indicate Mr. Clark is wrong
16 and odors and complaints still persist. No evidence has been offered to corroborate Mr. Clark's letter
17 and the Commission failed to question the validity of his statements. Mr. Jones testified that he has
18 been filling the role of an interim manager, yet he admits that he has not looked into the operations at
19 the Marwood plant. Mr. Capestro told Robert Rist and Robert Gilkey that Marwood has stunk for 20
20 years, yet it has not been a priority. Management at Far West is only making decisions based on
21 where they think the most heat is at the moment. If the odor problems have been resolved as
22 Supervisor Clark says, why had it not been done earlier? If it has been done, it clearly was not a
23 money issue as they have not realized the increase yet. The letter from Mr. Clark needs to be totally
24 disregarded. We respectfully request the issue of Marwood be reconsidered by the Commission.



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2 **mailed this 10th day of October 2013**
3 **by Express mail to:**

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10 **copies of the foregoing mailed**
11 **this 10th day of October 2013**
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